

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,                  )  
    )  
    )  
Plaintiff,                                    )  
    )  
    )  
vs.   )      Case No. 22-05035-01-CR-SW-SRB  
    )  
    )  
AMBER DAWN WATERMAN,                        )  
    )  
    )  
Defendant.                                    )

**UNOPPOSED MOTION  
FOR CONTINUANCE OF TRIAL SETTING**

Comes now Defendant, Amber Dawn Waterman, by counsel, and hereby moves that this case be continued from its current trial setting on the Joint Criminal Jury Trial Docket commencing January 9, 2023, and reset to the Joint Criminal Jury Trial Docket commencing June 5, 2023. In support of this motion, the Defendant states:

1. Defendant was charged with Count 1 of a two count Indictment on November 16, 2022.

2. This is the first Motion for Continuance.

3. Undersigned counsel has not received the discovery from the government.

Thus, additional time is needed to obtain and review the discovery, conduct legal research, conduct investigation, meet with the Defendant, and prepare for trial.

4. This continuance is not sought for the purpose of undue delay, but is sought in truth and fact that Ms. Waterman may be afforded due process of law under the Fifth

Amendment to the United States Constitution and afforded effective assistance of counsel under the Sixth Amendment to the United States Constitution. In accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (B)(I) and (IV), it is submitted that the above-stated reasons for a continuance outweigh the best interests of the public and Ms. Waterman to a speedy trial which is required by 18 U.S.C. § 3161(c)(1). In short, the procedural components that currently exist in this case necessitate a continuance to avoid a miscarriage of justice and to make certain that Ms. Waterman has clear, meaningful, and effective access to counsel while preparing to resolve this case.

5. Under the provisions of 18 U.S.C. § 3161(h)(7)(A), the period of time until the next criminal trial docket should be excluded in computing the period of time in which a defendant should be brought to trial under the provisions of the Speedy Trial Act.

6. Undersigned counsel has conferred with Assistant United States Attorney James J. Kelleher, who stated that given the basis for the request, he does not oppose the requested continuance.

WHEREFORE, Defendant, Amber Dawn Waterman, hereby moves that this case be continued from its current trial setting on the Joint Criminal Jury Trial Docket commencing January 9, 2023, and reset to the Joint Criminal Jury Trial Docket commencing June 5, 2023.

Respectfully submitted,

*/s/ Paul R. Duchscherer*

**PAUL R. DUCHSCHERER, #51001**

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Attorney for Defendant  
Amber Dawn Waterman

December 8, 2022

**CERTIFICATE OF SERVICE**

I hereby certify that on this 8<sup>th</sup> day of December, 2022, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which sent e-mail notification of such filing to all CM/ECF participants in this case and a copy was mailed, via the United States Postal Service, to all non-CM/ECF participants.

*/s/ Paul R. Duchscherer*

**PAUL R. DUCHSCHERER**